

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

OP.No. 27162 of 1999(H)

PETITIONER:

KURIAN MATHEW, S/O. A.C.MATHEW,
APPACOTTU HOUSE, MUTTAMBALAM.P.O.,
KOTTAYAM.

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
COLLECTORATE, KOTTAYAM.
2. THE TAHSILDAR, OFFICE OF THE TAHSILDAR,
KOTTAYAM.
3. THE VILLAGE OFFICER,
VILLAGE OFFICE, VIJAYAPURAM.
4. THE STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY ADV. SHRI.BASANT BALAJI, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

OP 27162/1999

ORDER ON CMP NO. 45969/1999 IN OP NO. 27162/1999

DISMISSED.

22/06/2007

SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE AGREEMENT FOR SALE OF LAND DATED 19/11/1994 EXECUTED BY ONE ABRAHAM PHILIP, KATTATHARA, MUTTAMBALAM.P.O., KOTTAYAM WITH THE PETITIONER AS THE MANAGING PARTNER OF THE FIRM.

P2 : COPY OF THE BUILDERS AGREEMENT DATED 09/11/1994 EXECUTED BY ONE ABRAHAM PHILIP, KATTATHARA, MUTTAMBALAM.P.O., KOTTAYAM WITH THE PETITIONER AS THE MANAGING PARTNER OF THE FIRM.

P3 : COPY OF THE AGREEMENT FOR SALE OF LAND DATED 07/08/1995 EXECUTED BY ONE P.K.JOHNKUTTY WITH THE PETITIONER AS THE MANAGING PARTNER.

P4 : COPY OF THE BUILDERS AGREEMENT DATED 07/08/1995 EXECUTED BY ONE P.K.JOHNKUTTY WITH THE PETITIONER AS THE MANAGING PARTNER.

P5 : COPY OF FORM NO.V ORDERS OF ASSESSMENT DATED 25/05/1998 ISSUED by the 2ND RESPONDENT TO ABRAHAM PHILIP.

P6 : COPY OF FORM NO.VI NOTICE OF DEMAND ISSUED BY THE 2ND RESPONDENT TO ABRAHAM PHILIP DATED 25/05/1998.

P7 : COPY OF THE REPRESENTATION DATED 11/03/1999 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

P7(a) : COPY OF THE LIST OF VARIOUS PERSONS WHO ARE THE OWNERS OF SEPARATE FLATS IN K.K.APARTMENTS.

P8 : COPY OF THE COMMUNICATION DATED 28/11/1996 ISSUED BY THE SPECIAL SECRETARY TO GOVERNMENT, TAXES (H) DEPARTMENT, THIRUVANANTHAPURAM.

P9 : COPY OF THE ORDER DATED 28/09/1999 PASSED BY THE 2ND RESPONDENT.

P9(a) : COPY OF THE FORM NO. V ORDER OF ASSESSMENT.

P9(b) : COPY OF FORM NO.VI NOTICE OF DEMAND NOTICE.

P10 : COPY OF THE JUDGMENT DATED 10/04/2007 THUS PASSED BY THIS HON'BLE COURT IN OP NO.600/2000.

ANNEXURE 1 : COPY OF THE COMMUNICATION DATED 15/10/1999 ISSUED by the CHIEF MANAGER, STATE BANK OF TRAVANCORE, KOTTAYAM.

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ANNEXURE 2 : COPY OF THE COMMUNICATION DATED 03/11/1999 ISSUED BY
THE CHIEF MANAGER, STATE BANK OF TRAVANCORE, KOTTAYAM.

ANNEXURE 3 : COPY OF THE COMMUNICATION DATED 22/11/1999 ISSUED BY
THE CHIEF MANAGER, STATE BANK OF TRAVANCORE, KOTTAYAM.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 27162 of 1999

Dated, this the 22nd day of June, 2007

J U D G M E N T

Since similar cases are disposed of vide judgment in O.P. No. 600/2000 dated 10/04/2007 by this Court, this O.P. is also disposed of with the same observations, findings and directions as in that judgment. Impugned orders are consequently quashed with direction to the respondents to follow the directions in the above judgment in this case also.

(C.N.RAMACHANDRAN NAIR, JUDGE.)